

Notice of Allowability

Application No.

09/896,695

Examiner

Tina M Lin

Applicant(s)

CHIU ET AL.

Art Unit

2874

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the 37 CFR 1.131 Affidavits filed on 15 October 2004.
2. ☒ The allowed claim(s) is/are 1-26 and 40-69.
3. ☒ The drawings filed on 22 October 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


John D. Lee
Primary Examiner

Applicant's arguments filed on 15 October 2004 have been fully considered. Claims 1-26 and 40-69 are therefore allowed with the revised Affidavit including a statement where the reference of activity was carried out in this country or a NAFTA country or a WTO country.

Examiner's Statement Of Reasons For Allowance

The following is an examiner's statement of reasons for allowance:

In regards to claims 1-7, 9, 11-22, 24, 25 and 40-49, the prior art of record fails to disclose or reasonably suggest a fiber optic module comprising a push actuator or a push button coupled to the module to move inward into the module to release the fiber optic module from a cage assembly and electro-optic transducers within the optical module to convert optical signals into electrical signals and electrical signals into optical signals. A close prior art of record is U.S. Patent 5,901,263 to Gaio et al. Gaio et al. discloses a fiber optic module comprising of a latch to disengage and withdraw an optical module by sliding the module on an incline plane. Gaio et al. also discloses a tab that helps to determine which module in the assembly is to be removed and assists in the removal of the module. Gaio further discloses electro-optic transducers to convert optical signals to electrical ones and electrical signals into optical ones. Furthermore, the latch disclosed by Gaio et al. can be engaged and disengaged by pushing the latch from the lock or unlock position. But Gaio et al. fails to specifically disclose the optical fiber module to be withdrawn from a cage assembly and that the module is a SFP cage assembly. Gaio et al. also fails to disclose the latch to be a push button or a push actuator, which is depressed inwardly into the fiber optical module.

Another close prior art of record is U.S. Patent 6,556,445 to Medina. Medina discloses a fiber optic module with a push actuator movably coupled to the fiber optic module to move

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inward into the module, which releases the fiber optic module from a cage assembly in response to the push actuator being pushed. Medina also discloses the push actuator to include one or more grooves, the push actuator to slide inwardly to release the module from the cage assembly and for the push actuator to have one or more ramps to release the fiber optic module from the cage assembly. But Medina fails to specifically disclose one or more electro-optic transducers within the fiber optical module to convert optical signals into electrical ones or electrical signals into optical ones.

The affidavits filed on 15 October 2004 under 37 CFR 1.131 is sufficient to overcome the Medina reference. In the affidavits submitted by Applicants, each affidavit states the idea of a "Push Button Release for a Fiber Optic Module" was conceived in Calabasas, California, United State of America and Singapore, a WTO country prior to the effective date of the Medina reference. With the evidence of drawings and schematics provided along with the affidavits, the affidavit is accepted by the Examiner.

Therefore, claims 1-7, 9, 11-22, 24, 25 and 40-49 are allowed.

Claims 10, 23, 26, and 50-62 are allowed for the reasons indicated in a previous Office action, mailed 14 January 2004, paper number 012004.

Claims 65 and 66 are allowed. Claims 65 and 66 are newly presented claims dependent on previously allowed claim 10.

Claims 8, 63, 64 and ~~67~~69 are allowed for the reasons indicated in a previous Office action, mailed 18 June 2004, paper number 062004.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

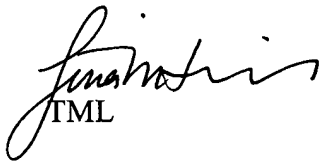
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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

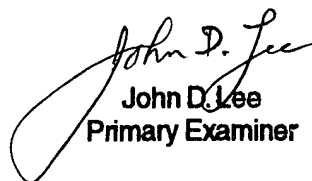
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tina M Lin whose telephone number is (571) 272-2352. The examiner can normally be reached on Monday-Friday 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rodney Bovernick can be reached on (571) 272-2344. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Handwritten signature of TML.



Handwritten signature of John D. Lee.

John D. Lee
Primary Examiner